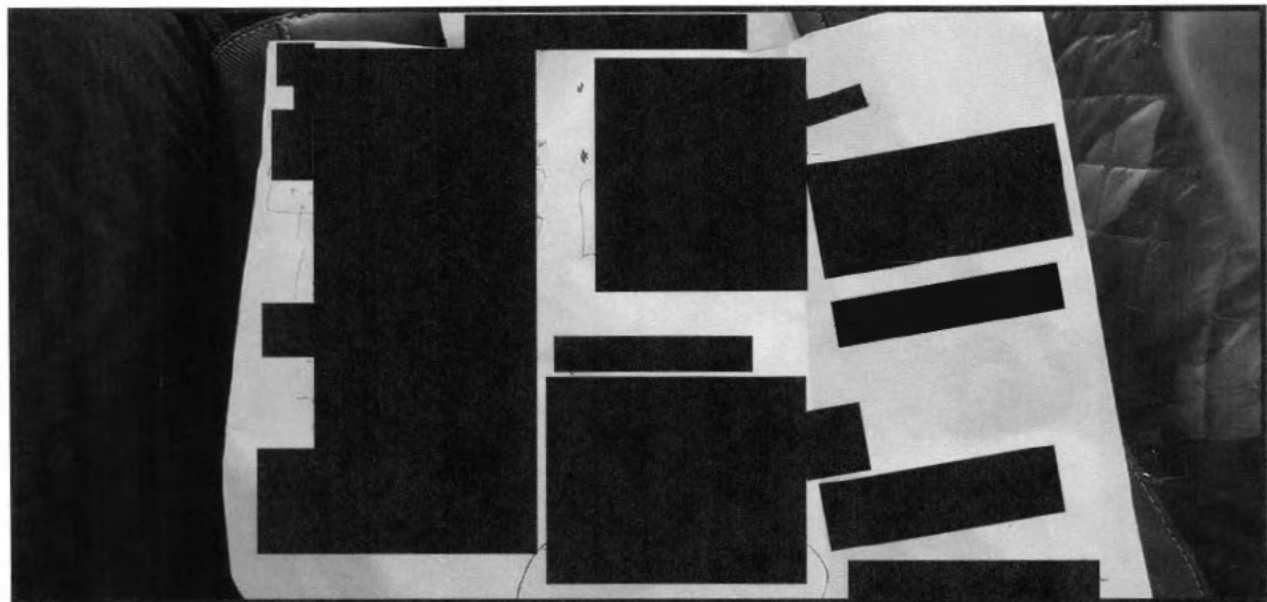
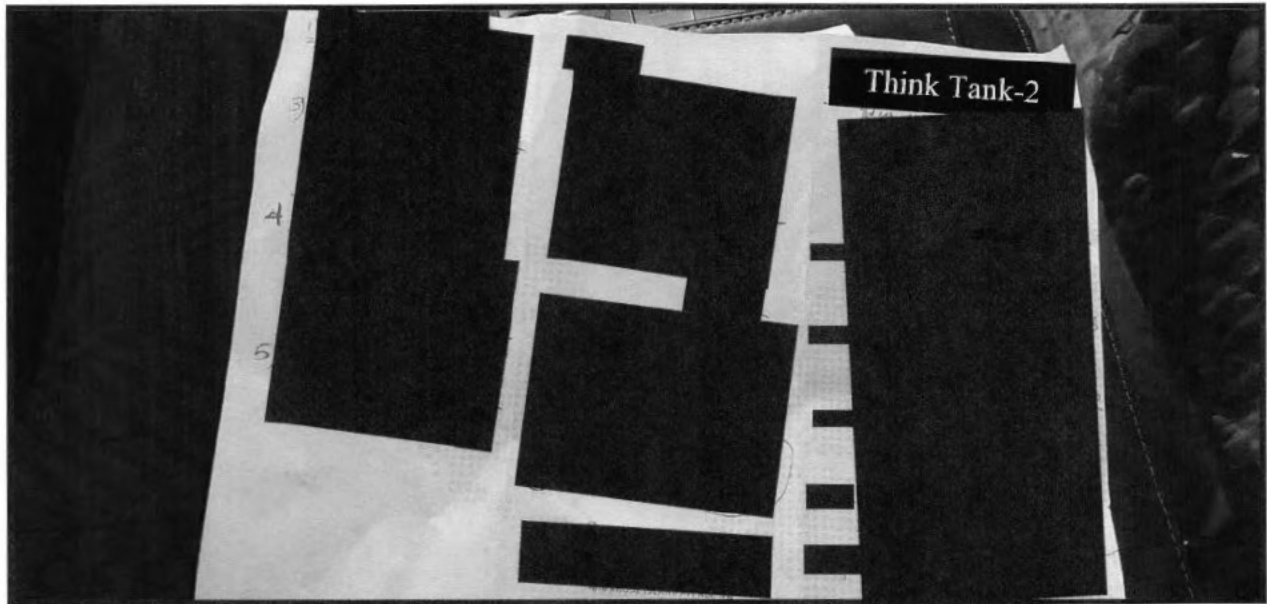


depicting the notes brought by TERRY against the backdrop of the interior of the car and TERRY's quilted tote bag:



April–October 2022: TERRY Invites ROK Intelligence Officers to an Event for Congressional Staff, and Is Rewarded with Funding and Meals

34. As described in more detail below, in or about July 2022, SUE MI TERRY, the defendant, organized an event for staff members of various Congressional offices that was, undisclosed by TERRY and unbeknownst to the attendees, hosted by her ROK NIS handler, NIS

Handler-3. TERRY arranged this event, which enabled ROK intelligence officers to access and attempt to develop relationships with Congressional staffers, shortly after the ROK intelligence service provided TERRY's think-tank program with \$11,000. Those funds were deposited into an unrestricted "gift" account that TERRY controlled and in a manner designed to conceal the true source of the funds – the ROK NIS – from Think Tank-3.

35. In or about May 2022, the ROK Embassy in the United States provided a check in the amount of \$11,000 to Think Tank-3, where SUE MI TERRY, the defendant, was then working. On or about May 12, 2022, the check was deposited into the unrestricted gift account of a program at Think Tank-3 that TERRY directed; as the director of the program, TERRY had discretionary control over the expenditure of unrestricted gift funds. Although the check was nominally issued by the ROK Embassy, as set forth below, the funds were in fact provided by the ROK NIS, at NIS Handler-3's direction, for TERRY's benefit. TERRY did not disclose the source of the funding to Think Tank-3, which was not aware of having received any funding from a foreign intelligence agency.

36. On or about May 12, 2022, the same day that funds from the ROK NIS were deposited into an unrestricted account over which SUE MI TERRY, the defendant, had control, TERRY testified before the U.S. House of Representatives Committee on Foreign Affairs, Subcommittee on Asia, the Pacific, Central Asia, and Nonproliferation. As she did in 2016 and 2017, TERRY again signed a "Truth in Testimony" disclosure form, in which she was asked the question: "Are you an active registrant under the Foreign Agents Registration Act (FARA)?" For the third time, TERRY checked "No."

37. On or about July 8, 2022, SUE MI TERRY, the defendant, hosted an event on Korean foreign policy at Think Tank-3 for staff members of various Congressional offices. After

the event, TERRY invited attendees to a “happy hour” at a restaurant in Washington, D.C. While the “happy hour” was nominally hosted by the ROK Embassy in the United States, the event was, in fact, funded by ROK NIS and attended by NIS Handler-3, among other ROK intelligence officials. This event allowed ROK officials to identify, evaluate, and potentially recruit Congressional staff whom they otherwise would not have been able to access, which is known in intelligence operations as the practice of “spot and assess.” TERRY later told FBI agents that she was aware of the practice of “spot and assess,” and that providing NIS Handler-3 with access to these Congressional staffers was like “bringing the wolf in.” The Congressional staff members who attended the happy hour received gift bags containing Yeti-brand tumblers and pamphlets with the logo of the ROK Embassy. At the end of the happy hour, one of the ROK intelligence officers accompanying NIS Handler-3 paid the bill. TERRY did not disclose to the Congressional staff members invited to the event that ROK intelligence officers planned to attend.

38. After providing the ROK NIS with secret access to Congressional staff, SUE MI TERRY, the defendant, continued to meet her handler, NIS Handler-3, for meals at upscale establishments. For example, on or about September 8, 2022, TERRY and NIS Handler-3 had dinner in the private room of a high-end sushi restaurant in Washington, D.C. On or about October 6, 2022, TERRY and NIS Handler-3 had dinner at a Michelin-star restaurant in Washington, D.C.

**January–February 2023: TERRY Publicly Communicates Talking Points
Provided By a ROK Intelligence Officer**

39. On or about January 10, 2023, SUE MI TERRY, the defendant, met her handler, NIS Handler-3, for dinner at an expensive sushi restaurant in Washington, D.C. At their dinner, NIS Handler-3 presented TERRY with talking points on North Korean policy, which TERRY then repeated in media appearances and in an article that TERRY published in Magazine-1. Indeed, during the dinner, TERRY texted herself some of the talking points that NIS Handler-3 dictated to

TERRY, including “Solid fuel engine will be mastered” and “Policy – extended deterrence.” TERRY then echoed these talking points in her public messaging, as further described below, without disclosing that the points were provided to her by a ROK intelligence officer.

40. For example, during their January 10, 2023 dinner, NIS Handler-3 told SUE MI TERRY, the defendant, that North Korea had recently “conducted a solid fuel engine test while KJU [Kim Jong Un, North Korea’s leader] was observing it personally.” NIS Handler-3 explained that “the reason I think it could be a game changer” is that “liquid fuel takes hours to do injection,” which “takes more time to launch and it’s vulnerable to US’s monitoring and uh, and even preemptive . . . strike.” In an article published in Magazine-1 on January 19, 2023, TERRY echoed NIS Handler-3’s message: “North Korean leader Kim Jong Un personally oversaw the test of a powerful solid-fuel rocket engine – a crucial new capability for the country because solid-fuel rockets can be fired more quickly than liquid-fuel ones and are harder to detect and preempt.” Similarly, in a January 26, 2023 media appearance, TERRY said: “Kim Jong-un personally oversaw test of a solid fuel rocket engine. This is a crucial new, uh, capability, uh, because solid fuel rockets can be fired more quickly than liquid filled ones and are harder to detect and preempt and so on.”

41. As another example, during their January 10, 2023 dinner, NIS Handler-3 told SUE MI TERRY, the defendant, that in a departure from the policy of its predecessor administration, the current ROK Government “wants to strengthen extended deterrence.” NIS Handler-3 elaborated that “what South Korea is now pursuing is regular deployment of US strategic assets,” such as “nuclear submarine[s] and aircraft carrier[s].” In her January 19, 2023 article, TERRY echoed NIS Handler-3’s message by recommending that the U.S. “rotat[e] more nuclear-capable U.S. weapons systems into South Korea, such as B-52s and F-35s [U.S.-made strategic bombers

and stealth fighter jets, respectively].” Similarly, in her January 26, 2023 media appearance, TERRY said: “[T]he Koreans are saying, they want to work with the U.S. to collectively establish some sort of joint ex– you know, something to do with to strengthen extended deterrence that’s more credible, it’s stronger, stronger.”

42. As a third example, during their January 10, 2023 dinner, NIS Handler-3 told SUE MI TERRY, the defendant, that the ROK Government wished to create “a nuclear consultation group with the U.S.,” which would “involve[] South Korea in decision making, like, like a nuclear decision process and more active information sharing . . . on North Korea.” “Simply put,” NIS Handler-3 added, “we want active information sharing when the U.S. does nuclear planning because we don’t know.” In her January 19, 2023 article, TERRY promoted the ROK Government’s “nuclear consultation group” concept that NIS Handler-3 had provided TERRY, writing: “The United States and South Korea should create a consultative group, bringing in both high-level security officials and unofficial observers to build greater support for sustained security cooperation and examine options for improving crisis management.”

43. During their January 10, 2023 dinner, SUE MI TERRY, the defendant, and NIS Handler-3 also discussed how the ROK NIS could covertly send money to the program that TERRY controlled at Think Tank-3. NIS Handler-3 told TERRY that “the best option is that I write you an embassy check” because he preferred to “do it directly without the complicated process of involving a third party which we’ve been doing so far.” TERRY responded that NIS Handler-3 “should get a third party involved” because transferring large amounts directly from the ROK Government would “look suspicious.” TERRY and NIS Handler-3 then discussed potential ROK think tanks that could serve as the intermediary for ROK NIS funds.

**March–April 2023: TERRY Receives More Covert Funding from
the ROK Intelligence Service**

44. On or about March 9, 2023, SUE MI TERRY, the defendant, met her handler, NIS Handler-3, for lunch at a restaurant in Washington, D.C. At the lunch, TERRY and NIS Handler-3 continued discussing how the ROK NIS might provide another “gift” to TERRY’s program at Think Tank-3 without the institution getting “suspicious.” NIS Handler-3 noted that “last time, only a check was given,” and then mentioned the figure “eleven thousand” – a reference to the \$11,000 check, nominally from the ROK Embassy, that was deposited in or about May 2022 into TERRY’s unrestricted gift account at Think Tank-3. TERRY and NIS Handler-3 discussed NIS Handler-3 providing another check from the ROK Embassy. NIS Handler-3 told TERRY that “what Seoul wants me to ask you is . . . if that will be ok here,” and “whether there would be an issue if [Think Tank-3] was to do an audit.” TERRY responded that she was “not sure how to go about it” because Think Tank-3 would expect a memo from the ROK Embassy supporting what was nominally a ROK Embassy check.

45. On or about March 28, 2023, an ROK MFA official (“ROK Official-2”) texted SUE MI TERRY, the defendant, with “a very urgent inquiry.” ROK Official-2 informed TERRY that a ROK think tank (the “ROK Think Tank”) was planning to hold an “event celebrating ROK-US alliance,” but needed conference room space. ROK Official-2 requested that TERRY and Think Tank-3 co-host the event with the ROK Think Tank. Over the next few weeks, at TERRY’s direction, staff at Think Tank-3 worked to organize the event with the ROK Think Tank.

46. On or about April 18, 2023, Think Tank-3 and the ROK Think Tank co-hosted the event in Washington, D.C., which was titled “70 Years of the US-ROK Alliance: The Past and the Future.” The keynote speaker was a senior White House official, who was Special Assistant

to the President and Senior Director for East Asia and Oceania at the NSC. The event advertised sponsorship by the ROK Think Tank, but not the ROK Embassy or the ROK NIS.

47. The ROK Think Tank paid \$25,418.70 to Think Tank-3 for expenses associated with the April 18, 2023 event. Consistent with her discussions with NIS Handler-3, in or about April 2023, SUE MI TERRY, the defendant, separately obtained a \$26,035 check, nominally from the ROK Embassy, which was deposited into the unrestricted gift account of TERRY's program at Think Tank-3 for TERRY's discretionary use. TERRY did not disclose the true source of the funding to Think Tank-3.

**March–April 2023: TERRY Publishes Opinion Articles at the
Request of ROK Government Officials**

48. On or about March 6, 2023, SUE MI TERRY, the defendant, received a call from a ROK MFA official ("ROK Official-3"). After the call, TERRY texted ROK Official-3 that there were "already many articles written on this topic," citing articles pertaining to geopolitical relations between the ROK and Japan. TERRY then texted: "So for me to write an op ed, I need the following information," and listed a series of questions about ROK-Japan relations.

49. On or about March 7, 2023, ROK Official-3 texted SUE MI TERRY, the defendant, detailed responses to TERRY's questions. Later that day, a major U.S. newspaper published an opinion article TERRY co-authored entitled "South Korea Takes a Brave Step Toward Reconciliation with Japan." The article was broadly consistent with the responses sent by ROK Official-3. That same day, TERRY texted ROK Official-3, "Hope you liked the article," followed by a link to the opinion piece. ROK Official-3 responded that senior ROK Government officials had read and appreciated TERRY's opinion piece: "Thank you so much for your zeal and endeavors! Of course we do. Actually, Ambassador and National Security Advisor were so happy for your column."

50. On or about April 10, 2023, ROK Official-2 texted SUE MI TERRY, the defendant, requesting that TERRY write a short article for a ROK newspaper regarding a visit by the ROK President to the United States, to be followed by an expanded article to be published online. ROK Official-2 added, "We can provide you with \$500 for this." TERRY agreed to write the articles, texting ROK Official-2, "Ideally, what would you like me to write on? (I mean angle of the Op Ed)." ROK Official-2 responded, "that the summit means a lot for the alliance and good for Korea and the alliance."

51. On or about April 27, 2023, as requested by ROK Official-2 and consistent with ROK Official-2's messaging, SUE MI TERRY, the defendant, published a short article in the ROK newspaper titled, "ROK-US Summit, A More Solid Road Ahead for 70 Years of Alliance," and a longer online article titled, "Biden Yoon Summit Strengthens US-ROK Alliance."

**June 2023: TERRY Admits That She Was a "Source" for
the ROK Intelligence Service**

52. On or about June 5, 2023, SUE MI TERRY, the defendant, participated in a voluntary interview with FBI agents. During the interview, TERRY admitted, in substance and in part, that she had resigned in lieu of termination from the CIA because the CIA had "problems" with TERRY's contacts with ROK NIS officers.

53. During her June 5, 2023 voluntary interview, SUE MI TERRY, the defendant, further admitted, in substance and in part, that after she left the CIA, she was in contact with NIS Handler-1, whom she understood was a ROK NIS officer in New York; that she had been in contact with NIS Handler-2, whom she understood had served as the permanent or acting ROK NIS chief of station in Washington, D.C.; and that she was then in contact with NIS Handler-2's successor NIS Handler-3, whom she understood was the then-current ROK NIS chief of station in Washington, D.C. TERRY further admitted that she had met with NIS Handler-3 approximately

20 times since August 2020, that they typically dined at sushi restaurants, and that she had received gifts from NIS Handler-2 and NIS Handler-3, including two handbags and a coat, the latter of which TERRY exchanged for a different coat. TERRY acknowledged that she was a “source” for the ROK NIS, meaning that she provided valuable information to the ROK intelligence service.

54. During her June 5, 2023 voluntary interview, SUE MI TERRY, the defendant, further admitted that she had informed NIS Handler-3 that she was invited to meet with the U.S. Secretary of State in advance of TERRY’s June 17, 2022 meeting at the State Department, and that immediately afterwards, she met with NIS Handler-3 and provided him details of the meeting with the Secretary of State.

55. During her June 5, 2023 voluntary interview, SUE MI TERRY, the defendant, further admitted that she had hosted the July 8, 2022 happy hour for Congressional staff members at NIS Handler-3’s request. TERRY recalled that NIS Handler-3 brought colleagues from the ROK Embassy, some of whom TERRY believed were “probably” also intelligence officers because NIS Handler-3 was “always working someone.” TERRY confirmed that NIS Handler-3 paid for the happy hour, that TERRY did not inform others at Think Tank-3 that NIS Handler-3 was an intelligence officer, and that NIS Handler-3 introduced himself to others at the happy hour as a Minister from the ROK Embassy (and not as a ROK NIS officer). TERRY acknowledged that the happy hour allowed NIS Handler-3 to access Congressional staffers whom NIS Handler-3 otherwise would not have been able to meet.

56. During her June 5, 2023 voluntary interview, SUE MI TERRY, the defendant, further admitted that during their sushi dinner on January 10, 2023, NIS Handler-3 asked TERRY to share details of her prior meeting with the U.S. Ambassador to Japan, and that TERRY did so. TERRY also recalled that NIS Handler-3 was the first person to bring to her attention the idea of

a “Nuclear Consultative Group” between the ROK and the United States. TERRY stated that she thereafter used the idea in her January 19, 2023 article in Magazine-1, a draft of which she shared with NIS Handler-3 before publication.

57. During her June 5, 2023 voluntary interview, SUE MI TERRY, the defendant, further admitted that NIS Handler-3 had provided ROK NIS funding for TERRY’s activities at Think Tank-3 through checks issued by the ROK Embassy. TERRY acknowledged that she did not disclose that NIS was the true source of funding because it would pose a risk to Think Tank-3’s objectivity and reputation. While discussing her contacts with NIS Handler-3, TERRY repeatedly stated that she had made “mistakes” and twice raised her voice at the FBI agents while admitting that her conduct was “bad.”

58. On or about June 5, 2023, FBI agents also executed a search of the residence of SUE MI TERRY, the defendant. Inside TERRY’s residence, the FBI seized the Bottega Veneta handbag that NIS Handler-2 had purchased for TERRY, the Christian Dior jacket that TERRY received in exchange for the Dolce & Gabbana coat that NIS Handler-2 purchased for TERRY, and the Louis Vuitton handbag that NIS Handler-3 purchased for TERRY.

59. On or about June 5, 2023, FBI agents also recovered from SUE MI TERRY, the defendant, a cellphone that TERRY used to communicate with NIS Handler-3, her handler. The cellphone contained text messages and a log of voice calls between TERRY and NIS Handler-3 using an encrypted messaging application. The log indicated that between approximately October 5, 2022 and June 5, 2023, TERRY and NIS Handler-3 exchanged more than 100 encrypted voice calls. But the application contained only three text messages between TERRY and NIS Handler-3 – all dated on June 5, 2023 – because TERRY had set the application to automatically delete her messages with NIS Handler-3 two days after they were sent or received.

TERRY Has Never Registered Under FARA Despite Receiving Repeated Reminders of FARA Obligations

60. According to records of the FARA Unit, SUE MI TERRY, the defendant, has never registered as a foreign agent with the Attorney General.

61. SUE MI TERRY, the defendant, has been reminded of FARA reporting requirements on multiple occasions in explicit connection with certain of the activities detailed above. In particular, on at least three occasions in or about September 2016, February 2017, and May 2022, TERRY testified before the U.S. House of Representatives Committee on Foreign Affairs or subcommittees thereof. Each time, in connection with her Congressional testimony, and as required by the Rules of the House of Representatives, TERRY signed a “Truth in Testimony” disclosure form, in which she was asked the question: “Are you an active registrant under the Foreign Agents Registration Act (FARA)?” In response to this question, TERRY checked “No.” In addition, in or about November 2022, TERRY received training on FARA in connection with her employment. During this training, TERRY took photographs of various FARA-related slides, including slides concerning the purpose, focus, and reporting requirements of FARA.

COUNT ONE
(Conspiracy to Violate the Foreign Agents Registration Act)

62. From at least in or about 2013 to at least in or about June 2023, in the Southern District of New York and elsewhere, SUE MI TERRY, the defendant, and others known and unknown, knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to knowingly and willfully act as an agent of a foreign principal without registering with the Attorney General, in violation of Title 22, United States Code, Sections 612 and 618.

63. It was a part and an object of the conspiracy that SUE MI TERRY, the defendant, and others known and unknown, would and did knowingly and willfully act as an agent of a foreign principal, namely, the Government of the Republic of Korea, without registering with the Attorney General, as required by law, in violation of Title 22, United States Code, Sections 612 and 618.

Overt Acts

64. In furtherance of the conspiracy and to effect the illegal object thereof, SUE MI TERRY, the defendant, and others known and unknown, committed the following overt acts, among others, in the Southern District of New York and elsewhere:

a. On or about December 18, 2013, in Manhattan, New York, TERRY met with NIS Handler-1, a ROK NIS officer.

b. On or about June 18, 2014, pursuant to a contract with the ROK MFA, TERRY published an article on Korean unification in Magazine-1.

c. In or about mid-December 2016, at the request of a ROK MFA official, TERRY attempted to facilitate access for the ROK Government to Incoming U.S. Official-1.

d. From in or about December 2018 to in or about January 2019, in Washington, D.C. and at the request of NIS Handler-2, a ROK NIS officer, TERRY organized a private meeting at Think Tank-2 with the Director of the ROK NIS and current and former senior U.S. national security officials.

e. On or about November 13, 2019, in Washington, D.C. and Chevy Chase, Maryland, TERRY received from NIS Handler-2, a ROK NIS officer, a \$2,845 Dolce & Gabbana coat and a \$2,950 Bottega Veneta handbag.

f. On or about August 12, 2020, in Manhattan, New York, TERRY met with NIS Handler-2 and NIS Handler-3, both ROK NIS officers, and received dinner, drinks, and a gift bag from them.

g. On or about November 30 and December 1, 2020, TERRY hosted a private virtual workshop with U.S. Government officials, non-government leaders, and ROK Government officials, including NIS Handler-3.

h. On or about April 16, 2021, in Washington, D.C., TERRY received from NIS Handler-3, a ROK NIS officer, a \$3,450 Louis Vuitton handbag.

i. In or about May 2022, in Washington, D.C., TERRY caused Think Tank-3 to accept \$11,000 in funds that were nominally issued by the ROK Embassy but were in fact provided by the ROK NIS.

j. On or about June 17, 2022, in Washington, D.C., TERRY provided NIS Handler-3, a ROK NIS officer, notes and details of TERRY's meeting with the U.S. Secretary of State.

k. On or about July 8, 2022, in Washington, D.C., TERRY hosted a happy hour for Congressional staff members that was nominally hosted by the ROK Embassy but was in fact paid for and attended by NIS Handler-3 and other officers of the ROK NIS.

l. On or about January 10, 2023, in Washington, D.C., TERRY received talking points from NIS Handler-3, a ROK NIS officer, which TERRY repeated in subsequent media appearances and in an article on ROK-U.S. nuclear policy that TERRY published in Magazine-1, and also provided NIS Handler-3 with details of TERRY's meeting with the U.S. Ambassador to Japan.

m. On or about April 18, 2023, in Washington, D.C. and at the request of a ROK MFA official, TERRY organized an event co-hosted by Think Tank-3 and the ROK Think Tank on the ROK-U.S. alliance.

n. In or about April 2023, in Washington, D.C., TERRY caused Think Tank-3 to accept approximately \$26,035 in funds that were nominally issued by the ROK Embassy but were in fact provided by the ROK NIS.

o. On or about March 7, 2023, at the request of a ROK MFA official, TERRY published an opinion article in a major U.S. newspaper regarding ROK-Japan relations.

p. On or about April 27, 2023, at the request of and with funding by a ROK MFA official, TERRY published articles in a ROK newspaper and online regarding the ROK-U.S. alliance.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Failure to Register Under the Foreign Agents Registration Act)

The Grand Jury further charges:

65. The allegations contained in paragraphs 1 through 61 of this Indictment are incorporated as though fully set forth herein.

66. From at least in or about 2013 to at least in or about June 2023, in the Southern District of New York and elsewhere, SUE MI TERRY, the defendant, knowingly and willfully acted and caused others to act as an agent of a foreign principal, namely, the Government of the Republic of Korea, without registering with the Attorney General, as required by law.

(Title 22, United States Code, Sections 612(a) and 618(a)(1); and
Title 18, United States Code, Section 2.)

FORFEITURE ALLEGATION

67. As a result of committing the offenses alleged in Counts One and Two of this Indictment, SUE MI TERRY, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of said offenses, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

Substitute Assets Provision

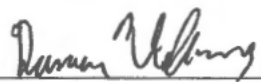
68. If any of the above described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)


FOREPERSON


DAMIAN WILLIAMS
United States Attorney